United Nations DP/FPA/2017/7

Executive Board of the United Nations Development Programme, the United Nations Population Fund and the United Nations Office for Project Services

Distr.: General
27 March 2017

Original: English

Annual session 2017
30 May to 9 June 2017, New York
Item 16 of the provisional agenda
UNFPA – Reports of UNDP, UNFPA and UNOPS Ethics Offices

United Nations Population Fund

Report of the Ethics Office 2016

Summary

This report is submitted to the Executive Board pursuant to paragraph 9 of Executive Board decision 2010/17, Reports of the Ethics Offices of UNDP, UNFPA and UNOPS. In accordance with the Secretary-General's bulletin entitled United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11), the report was reviewed by the Ethics Panel of the United Nations at its 89th session on 8 February 2017 and subsequently presented to the UNFPA Executive Director.

The report provides a summary of the activities of the UNFPA Ethics Office during 2016, and describes trends in the mandated areas of its work. It also provides recommendations to management to further strengthen the organizational culture of integrity and compliance.

Elements of a decision

The Executive Board may wish to take note of the present report, comment on the progress of the work of the UNFPA Ethics Office and offer support for the recommendation made to management.

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I. Introduction

1. The present report, the ninth since the establishment of the UNFPA Ethics Office in January 2008, covers the 2016 calendar year. Pursuant to paragraph 9 of Executive Board decision 2010/17, the report, prepared in accordance with the Secretary-General's bulletin, "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11), is submitted to the Executive Board at its annual session in 2017.

2. The UNFPA Ethics Office supports the Executive Director in ensuring that all UNFPA personnel perform their functions consistent with the highest ethical standards required by the Charter of the United Nations, the Standards of Conduct for the International Civil Service, the Staff Regulations and Staff Rules, and UNFPA policies and procedures. The Ethics Office operates on principles of independence, impartiality and confidentiality. Its activities aim to promote an organizational culture based on shared values of integrity, accountability, transparency, professionalism, respect and tolerance.

3. This report describes the key activities undertaken by the Ethics Office in 2016. It also suggests ways to strengthen the organization's ability to maintain the ethical standards necessary for UNFPA to continue to deliver a world where every pregnancy is wanted, every childbirth is safe, and every young person's potential is fulfilled.

II. Activities of the UNFPA Ethics Office

4. As in previous years, the activities of the Ethics Office were undertaken in the following mandated areas of work:

(a) Providing confidential advice and guidance to staff on ethics-related issues;

(b) Administering the financial disclosure programme;

(c) Administering the policy for the protection of staff against retaliation;

(d) Developing standards, training and education on ethics issues in coordination with other offices in UNFPA and the Ethics Panel of the United Nations (EPUN) as appropriate, and conducting ethics outreach; and

(e) Providing guidance and policy support to management on ethics standard-setting to ensure that the rules, policies, procedures and practices of the organization reinforce and promote the highest standards of ethics and integrity required by the Charter of the United Nations and other applicable staff rules and regulations.

5. The Ethics Office provided services on 372 occasions in 2016. This represents a slight decrease of under 5 percentage points from 2015. The decrease is attributable to decreases in the number of financial disclosure queries and formal coherence activities this year. Yet advisory matters and retaliation-related inquiries increased, reflecting continued engagement by staff and personnel with the Ethics Office.

6. Figure 1 below shows that most of the 372 services provided in 2016 were advisory (237); 26 involved assisting staff with their financial disclosures and other financial disclosure-related matters; and 13 were complaints and inquiries about retaliation. The Ethics Office contributed to the United Nations system-wide coherence and harmonization of ethics-related policies and practices on 36 matters and to 25 ethical standard-setting. Figure 2 below summarizes the services provided by the Ethics Office over the most recent four-year period, 2013-2016.

Figure 1
Requests for services, by category, in 2016

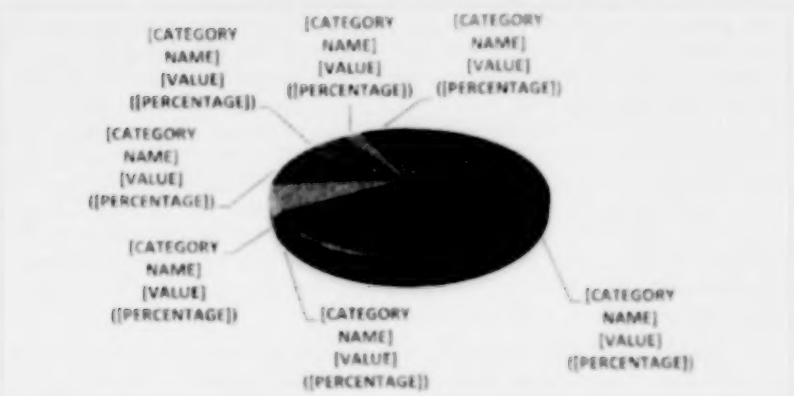
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Figure 2
Overview of services, by category, 2013-2016

Year	Advice and guidance	Retaliation	Financial disclosure	Standard-setting	Coherence	General information	Training	Total
2013	161	5	54	19	28	6	12	**285**
2014	104	5	57	9	26	11	6	**218**
2015	226	7	57	23	45	11	21	**390**
2016	237	13	26	25	36	10	25	**372**

A. Advice and guidance

7. The provision of advice and guidance, the foundation of the Ethics Office's programme of work, constituted 64 per cent of the Office's work programme by volume in 2016. About 90 per cent of the requests came from staff, while the remainder came from non-staff personnel.

8. Requests for advisory services in 2016 increased by 5 per cent over 2015. The largest percentage increases occurred in the Arab States and West and Central Africa regions, where the Ethics Adviser conducted outreach missions in 2016; and in the Asia Pacific region, where the Ethics Adviser participated in the regional planning meeting (see figure 3, and further information regarding missions in Section D below). There was a significant increase in advice given at headquarters as well.

Figure 3
Requests for ethics advice and guidance, by geographic location, 2013-2016

Year	HQ	Eastern and Southern Africa	Western and Central Africa	Latin America and the Caribbean	Asia and the Pacific	Eastern Europe and Central Asia	Arab States	Total
2013	66	8	5	17	34	8	23	**161**
2014	55	2	8	15	15	7	2	**104**
2015	84	62	17	36	17	6	4	**226**
2016	113	11	35	20	31	2	25	**237**

9. Of the 237 requests for advice in 2016, 141 (59 per cent) concerned a variety of conflicts of interest issues (see figure 4 below). Of these, the majority (96 inquiries) related to participation in outside activities and employment, such as undertaking speaking engagements or teaching assignments, serving on boards of non-governmental organizations, or publishing articles or books. For most of these, formal permission from the Division for Human Resources (DHR) was required for the activity or employment. Thus, the staff member formally requested permission from DHR, and the Ethics Office reviewed the request in order to advise DHR as to whether the activity presented a conflict of interest. For activities involving publication of materials, the Division of Communications and Strategic Partnerships reviewed the draft publication to ensure there were no conflicts with the UN and UNFPA mandates. In other situations, the staff member (or in some cases, his or her supervisor) asked the Ethics Office whether an activity was appropriate, and the Ethics Office provided advice directly to the staff member or supervisor. There were 11 inquiries related to the processes to be followed in relation to gifts, honours, awards and hospitality to and from Governments, implementing partners and vendors.

10. Employment-related inquiries constituted 40 per cent of all advice. Most related to allegations or concerns about misconduct. Many other matters involved providing advice to management officials regarding fair and appropriate application of UNFPA policies.

Figure 4
Requests for ethics advice and guidance by category

Category	Headquarters	Field	Total cases
Conflicts of interest			
– Outside activities	61	35	**96**
– Gifts, awards and hospitality	5	6	**11**
– Organizational conflicts of interest	6	7	**13**
– Other	8	13	**21**
Subtotal	***80***	***61***	***141***
Employment-related concerns			
– Workplace conduct issues	14	35	**49**
– Clarification of personnel-related policies	7	15	**22**
– Recruitment and promotion processes	8	5	**13**
– Other inquiries	4	8	**12**
Subtotal	***33***	***63***	**96**
Grand Total	**113**	**124**	**237**

B. Financial disclosure programme

11. The financial disclosure programme helps UNFPA to preserve and protect its integrity, thus building donor and public confidence in the organization and its staff. The programme is a primary tool of UNFPA for identifying and assessing conflict of interest risks arising from the financial investments and outside activities of staff and their immediate family members.

12. A total of 512 staff members submitted financial disclosure statements in the 2016 annual filing cycle, which covered the 2015 calendar year (see figure 5). Of the staff required to file, 147 were based at headquarters and 365 were field-based. Some 72 staff members were first-time filers. The filing population comprised 316 staff in managerial positions (62

per cent) and 196 support staff (38 per cent), mostly administrative/finance assistants and administrative/finance associates based in field offices.

Figure 5
Financial disclosure participation, by location and calendar year, 2012-2015

Year	Headquarters	Field	Total by year
2012	123	499	**622**
2013	133	541	**674**
2014	135	554	**689**
2015	147	365	**512**

13. For the 2016 filing cycle, the Ethics Office adhered strictly to the financial disclosure policy's designations of staff who are required to participate. This resulted in there being about one-quarter fewer staff in the programme. For example, the policy states that "administrative/finance assistants and associates" must participate. In prior years, staff members holding titles of "administrative assistant", "finance assistant", "administrative associate", and "finance associate" were included, even though these are different roles from that which is designated in the policy. This year, only those with the specific titles designated by policy were included.

14. As usual, the Ethics Adviser reviewed each financial disclosure statement to ensure completion, and to consider whether any of the activities of the staff member or his or her immediate family members could present a conflict of interest, given the organization's mission and activities and the staff member's role. Some 69 filers (13 per cent) certified that they had no relevant disclosures. Additional information was requested from 225 staff (44 per cent); of these, 69 required multiple additions and clarifications, or were provided advice on mitigation or elimination of conflicts of interest. Six of these staff members had a previously undisclosed outside activity. They subsequently submitted a request for approval for the activity, or stated that they would resign the position voluntarily to eliminate the conflict.

15. Following its review of the financial disclosures, the Ethics Office additionally subjected a random sample of 35 statements (7 per cent) of the entire filing population, diversified by location, grade and function, to verification of their financial disclosures. This verification process, now in its fourth year, allows the Office to ensure that staff members are diligently and accurately completing their financial disclosure statements. An outside firm retained by the Ethics Office reviewed the documentation submitted in support of the staff members' original disclosures.

16. During the verification phase, 30 of the staff members' files were reviewed, verified and closed without any noteworthy concerns. Five staff members were found to have submitted documentation in support of significantly more assets or liabilities than they had disclosed during the initial disclosure period. This is the same number as in the 2015 filing cycle but constitutes a larger percentage of overall files reviewed. These additional disclosures were not found to present conflicts of interest, but the staff members concerned were counselled about the requirements of the financial disclosure programme to ensure full compliance in the future.

C. Protection of staff against retaliation

17. UNFPA is obligated to protect staff members who report misconduct or participate in an authorized fact-finding activity from any actual or threatened detrimental action that they could face as a consequence of that report or participation. The policy on protection against retaliation sets forth the prohibition against retaliation, the procedures for lodging a

complaint, and the steps the organization may take to address retaliation. In 2016, the Ethics Office received three complaints of retaliation and 10 retaliation-related inquiries.

18. For each retaliation complaint, the Ethics Office undertakes a preliminary review to determine whether the complainant engaged in an activity warranting protection from retaliation and, if so, whether this protected activity was a contributing factor to the retaliation. If the Ethics Office determines that a *prima facie* case of retaliation has been established, the matter is referred to the Office of Audit and Investigation Services (OAIS) for investigation. Following completion of the investigation, the Ethics Office reviews the investigation report, discusses the report with the investigators, decides whether it believes that retaliation has occurred, and then makes appropriate recommendations to the Executive Director.[1]

19. All the three complaints came from field offices. The first complaint alleged that the staff member was retaliated against by his/her supervisor for reporting misconduct to a senior official of UNFPA. That case was under preliminary review at the close of 2016.

20. The second complaint of retaliation was filed by a former consultant who alleged that his/her non-renewal of contract was in retaliation for his/her report of misconduct to the head of office. Following a preliminary review of the case, the Ethics Office determined that the facts alleged by the consultant were not supported by the initial information provided; thus, no *prima facie* case of retaliation was established.

21. In the third complaint of retaliation, a staff member alleged that he/she was retaliated against by the staff member's supervisor, the head of office, and two other staff members because he/she reported alleged misconduct by the other two staff members to his/her supervisor. A preliminary review resulted in a finding of a *prima facie* case of retaliation against the head of office, the supervisor, and one staff member (but not the other), and the matter was referred to OAIS for investigation. OAIS returned investigation reports for the three referred cases just before the close of 2016. At end of year, the Ethics Office was reviewing the investigation reports and preparing recommendations for the Executive Director.

22. In addition to these complaints, the Ethics Office fielded 10 retaliation-related inquiries. These included complaints of retaliation that the staff member decided not to pursue as formal complaints, questions about what constituted retaliation, and discussions with management offices about how to ensure fairness for staff who previously filed or were involved in retaliation cases.

D. Training, education and outreach

23. The training, education and outreach programme of the Ethics Office aims to reinforce the core values and principles of the United Nations and the international civil service, increase knowledge of and compliance with ethics-related policies, and encourage staff and management to adhere to high ethical standards.

24. In 2016, the Ethics Office conducted 20 training and education programmes and ethics briefings for approximately 540 UNFPA personnel. More than half of the sessions took place away from headquarters. The Office also provided training materials for offices to use in staff meetings on five occasions.

[1] In previous years, the Ethics Office stated that in retaliation cases, it would make a "final determination" on retaliation. However, given the decision of the United Nations Appeals Tribunal in *Nguyen-Kropp and Postica v. Secretary-General, 2016-UNAT-673*, which clarified that Ethics Offices do not take decisions, but rather make recommendations to the executive head, who decides whether retaliation has occurred.

25. The Ethics Adviser attended the regional planning meeting for the Asia Pacific region, and visited the Thailand country office. The Ethics Adviser conducted an outreach mission to the Arab States region, which included visits with and training for staff in the Arab States regional office and the country offices from Somalia, Egypt, Jordan, Yemen and the Syrian humanitarian hub. Training for the Arab States regional office included, via teleconference, staff from Djibouti, Iraq, Lebanon, Palestine, Syria and Yemen. The Ethics Adviser conducted an outreach mission to West and Central Africa, including the regional office and country offices in Central African Republic, Nigeria, Senegal and Togo. These missions included training sessions on "Ethics and International Civil Service", confidential advisory sessions and management briefings. In Jordan and Togo, the Ethics Adviser accompanied staff on monitoring and evaluation visits to gain a better understanding of the work of those country offices.

26. The Ethics Office provided ethics briefings for the new Deputy Executive Director for Programme. The Office also provided four briefings for staff regarding the financial disclosure process.

27. The Ethics Office microsite, now two years old, had more than 900 visits in 2016. In addition to providing standard ethics resources and information, the site offered seven published articles on topics such as ethical blind spots, political engagement, and outside activities.

28. A new online training programme, 'Ethics and Integrity at the United Nations Population Fund', was finalized in 2016, and prepared for launch in January 2017. The programme is harmonized with several other United Nations system organizations but tailored for the UNFPA environment. In addition, the Ethics Office collaborated with Ethics Office and human resources staff from UNDP, UNHCR, UNICEF and UN-Women to adapt the UN Secretariat online training on Prevention of Sexual Exploitation and Abuse for use by the funds and programmes. This online training programme will be made available to all funds and programmes, and is expected to launch in the first half of 2017.

E. Standard-setting and policy support

29. A key function of the Ethics Office is to provide guidance to management on ethics standard-setting so that the policies and practices of the organization reflect and promote the expectations of integrity, impartiality and fairness required of UNFPA and its staff. During the reporting period, the Ethics Office collaborated with other UNFPA offices on 25 occasions to review, provide input and seek clarification on new and revised policies and procedures reflecting the organization's operations. This work included providing input to draft policies and programme evaluations, responding to donor inquiries about ethics practices and policies, streamlining overlapping processes in different divisions, engagement with the Joint Inspection Unit, and contributions to the UNFPA 2018-2021 strategic plan.

30. The Ethics Office attended its annual meeting with the UNFPA Audit Advisory Committee and briefed the Committee on its programme activities.

III. Ethics Panel of the United Nations and the Ethics Network of Multilateral Organizations

31. The UNFPA Ethics Office participated in 10 of the 11 official meetings of the Ethics Panel of the United Nations (EPUN). Additionally, the EPUN members elected the UNFPA Ethics Adviser as its alternate chair, serving a one-year term. The Ethics Office did not attend the annual meeting of Ethics Network of Multilateral Organizations (ENMO). The Ethics Office contributed to 26 advisory matters within, and solicited much advice from, the EPUN/ENMO community in 2016. These networks continue to be important for sharing of

best practices and harmonizing policies and advice, especially for such a small office as the UNFPA Ethics Office. Further information on the work of EPUN is provided in the Report of the Secretary-General on the activities of the Ethics Office (A/71/334), presented at the 71st session of the General Assembly.

IV. Observations and recommendations to management

32. The following observations and recommendations reflect on the progress made in 2016, and how the culture of ethics and integrity in UNFPA can be further strengthened.

33. A significant number of UNFPA field offices are in countries that are experiencing humanitarian crises. The Ethics Office appreciates the support of the Executive Director and the regional directors in ensuring the success of the Ethics Adviser's missions, including to offices in humanitarian and fragile settings. These missions continue to result in higher levels of substantive advice, in-person ethics training, and an overall better appreciation for the importance of international civil service. The Ethics Office requests continued support of management at headquarters and in the field for these missions and emphasizes the importance of such outreach especially as the organization plans for a challenging future.

34. Given that UNFPA work in humanitarian and fragile settings is unlikely to decrease in the near future, it is important for the organization to provide, as a matter of course, working environments that ensure the highest standards of safety, security and welfare for UNFPA staff and other personnel. The organization cannot fulfil its mandate if the people charged to be on the front lines are not well-equipped and well-supported. The Ethics Office recommends that UNFPA mainstream not only its humanitarian operations, but also those systems which provide security, support and relief to staff and other personnel working in these difficult settings.

35. Finally, some leaders and staff believe they should consult with the Ethics Office only when there is an ethical violation. Contrary to this notion, the Office's mandate includes offering proactive advice to help leaders and staff avoid and address conflicts of interest and other ethics-related concerns, and providing input to organizational standard-setting, including strategic planning, risk management and innovation efforts. The mandate of the Ethics Office does not include receiving reports of misconduct (except for retaliation complaints). The Ethics Office recommends that heads of office proactively engage the Ethics Office any time that doing so will help to ensure that ethical considerations are built into all that we must do to achieve our mission in these changing times.

V. Conclusion

36. The Ethics Office in 2016 continued its efforts to promote an environment that encourages engagement by all staff and personnel on ethics issues. It is hoped that this effort inspires a wider movement throughout UNFPA to strengthen the culture of ethics and integrity, and of loyalty to the United Nations. The Office looks forward to continuing its programme of work in the next year.